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From: Enck, Judith
Sent: Thur 9/1/2016 11:58:53 AM
Subject: Fwd: POLITICO New York Playbook: EPA vs CUOMO administration -- WEINER goes silent -- GAGOSIAN auctions for Clinton

Sent from my iPhone

Begin forwarded message:

From: Azi Paybarah and Jimmy Vielkind <newyorkplaybook@politico.com>
Date: September 1, 2016 at 7:24:56 AM EDT
To: <enck.judith@epa.gov>
Subject: POLITICO New York Playbook: EPA vs CUOMO administration -- WEINER goes silent -- GAGOSIAN auctions for Clinton
Reply-To: POLITICO subscriptions <reply-fe8211777d620c7e7d-630317_HTML-638291576-1376319-0@politicoemail.com>

09/01/2016 07:21 AM EDT

By Azi Paybarah in Manhattan and Jimmy Vielkind in Albany, with Daniel Lippman and Addy Baird

TENSIONS RISING BETWEEN CUOMO ADMINISTRATION AND EPA - POLITICO New York's Scott Waldman: "The U.S. Environmental Protection Agency has been at odds with Gov. Andrew Cuomo's administration over a few high-profile issues in recent years, including a Tappan Zee bridge construction loan, oil trains in the Port of Albany and the cleanup of the Hudson River. But the unfolding water pollution crisis in Hoosick Falls has turned the administration's relationship with the EPA, and in particular with the Region 2 office headed by administrator Judith Enck, especially toxic. At the first of three [legislative hearings on Hoosick Falls](#) and water quality issues on Tuesday, state health commissioner Dr. Howard Zucker pointed to the EPA dozens of times as the reason residents were allowed to drink poisoned water without public warning. The state also took the unprecedented step of accusing the EPA of bungling the Hoosick Falls response and insisting that it reimburse some of the state's response costs." <http://politi.co/2bDWngn>

CHILDREN SERVICES STEPS IN -- Post's By Larry Celona, Kevin Fasick and Bruce Golding: "Child-welfare officials are investigating Anthony Weiner [after news broke that] he sent a lewd selfie that showed his young son lying in bed next to him, sources said Wednesday. The probe of Weiner was launched by the Administration for Children's Services over his handling of 4-year-old son Jordan, a city government source told The Post. Agency protocol requires a home visit within 48 hours, and ACS showed up at Weiner and estranged wife Huma Abedin's Union Square apartment building on Tuesday, a worker there confirmed. ... Exclusive video shot by The Post showed Weiner leaving his building

alone around 6 a.m. Tuesday, and it was unclear if ACS gained access to his apartment." <http://nyp.st/2c2RjTF>

-- **WEINER: NOT CONTACTED -- NYT's Vivian Yee:** "The punch line who has now lost just about everything but his unfortunate name ... Mr. Weiner, in his only comment to The New York Times, said via email, 'We haven't been contacted by A.C.S.' An agency spokeswoman, citing privacy, said it could not comment on whether a case had been opened." <http://nyti.ms/2bDTcGU>

IT'S THURSDAY - Got a tip? Feedback? News to share? Let us know. By email: APaybarah@politico.com, JVielkind@politico.com, daniel@politico.com, ABaird@politico.com, or on Twitter: [@Azi](#), [@JimmyVielkind](#), [@dlippman](#), and [@addysue](#).

TABS -- Daily News, with a pic of Donald Trump: "MEXICAN CRAP DANCE!" -- **Post:** "STONE WALL: Trump gets re\$istance in Mexico; Stands firm on illegals' deportation" -- **SEE THEM:** <http://bit.ly/2bSOPnp>

-- **Newsday:** "Discord After Talks: Mexican president says he told Trump: We won't pay for wall" -- **Hamodia:** "New York to Require Meningitis Vaccine For 7th, 12th Graders"

FREEBIES -- Metro: "PARTY LIKE IT'S YOUR JOB" -- **amNY:** "SET PHASERS TO FUN: Resistance is futile to NYC's 'Star Trek' convention this weekend" -- **SEE THEM:** <http://bit.ly/2bEbEKW>

BROADSHEETS -- NYT, 2-col., above the fold: "TRUMP GAMBLES ON IMMIGRATION IN TRIP AND RALLY" -- **WSJ**, 4-col., above the fold: "Trump Vows Deportations" -- **SEE THEM:** <http://bit.ly/2bE02w9>

QUOTE OF THE DAY: "We haven't been contacted by A.C.S." -- Anthony Weiner via NYT's Vivian Yee: <http://nyti.ms/2bDTcGU>

PIC OF THE DAY: World Series champions at Citi Field. Wait, what? The Mets won the World Series? No, silly, it's the boys from Maine-Endwell. <http://bit.ly/2c62zgA>

ON THIS DAY in 1932 -- New York City Mayor Jimmy Walker resigns after a corruption investigation into City Hall. NY Mag looks back at the scandal: <http://goo.gl/7mKE2Y>

RIVINGTON HEARING SET FOR SEPT. 29 -- POLITICO New York's **Gloria Pazmino:** The City Council has scheduled a public oversight hearing next month on the controversial removal of two deed restrictions at the site of Rivington House, which will allow a developer to transform a nursing home into luxury housing. Council officials said Wednesday the hearing, scheduled for Sept. 29, will examine the circumstances around the lifting of the deed restrictions. The Council will also hear newly proposed legislation to change the process for how the city handles deed modifications. The hearing will be conducted jointly by the Committee on Oversight and Investigation, chaired by Councilman

Vincent Gentile, and the Committee on Governmental Operations, chaired by Councilman Ben Kallos. "The City Council takes its oversight responsibility very seriously and we look forward to a substantive and thoughtful hearing that will examine the process that led to the City's removal of a deed restriction from the Rivington House property," City Council Speaker Melissa Mark-Viverito said in a statement. "New Yorkers have a right to know what happened and I know Chairs Kallos and Gentile will preside over a thorough hearing." <http://politico.pro/2bSJ1uo>

WOODWARD ON TRUMP 'RAGE' BOAST - POLITICO New York's Jimmy

Vielkind: Bob Woodward has chronicled eight presidential administrations, written 18 books and interviewed countless senior government officials, but Donald Trump was the most self-calibrating person he ever met. "I have never interviewed someone who is so skillful at measuring the reaction to himself," Woodward, who won the Pulitzer Prize for his reporting on the Watergate scandal, told POLITICO New York. "He said some things that really astounded me," Woodward said. "I guess, most vividly, he said 'I bring out rage in people,' almost as if he was proud of it." The longtime Washington Post reporter spoke with POLITICO New York ahead of a Sept. 22 address to [the annual conference](http://politi.co/2c5RuvX) of the Business Council of New York State. <http://politi.co/2c5RuvX>

MORNING MEDIA, with POLITICO's Kelsey Sutton:

-- TRUMP'S TRIP TO MEXICO ... MINUS THE REPORTERS -- Reporters were none too pleased that they weren't invited to come along on Donald Trump's impromptu trip to meet with Mexican President Enrique Peña Nieto yesterday. From Hadas Gold: "On the daily call with Trump communications director Jason Miller, reporters were "seething," one source on the call, who asked not to be named because the call is off the record, told POLITICO. According to the source, the campaign only told the five-network television pool about the opportunity to cover the meeting around 3 a.m. While some reporters were weighing chartering their own plane to Mexico, they decided against it partly because the campaign did not indicate there would be a press availability until Conway's comments this morning." At the press event in Mexico, Trump only took two questions from reporters before jetting off to Phoenix to deliver a speech about immigration.

<http://politi.co/2bScQuT>

-- Speaking of Trump -- The New York Times' story Wednesday evening said that the Republican presidential nominee was "shelving his plan to deport 11 million undocumented people." But that is not what most of us heard in Trump's Phoenix speech, or his brief remarks in Mexico. MTV News's Jamil Smith called it a "failure." "How does he write that? How does an editor let that pass?" <http://bit.ly/2csr0rG> The story is here:

<http://nyti.ms/2csoNN8>.

-- VICE'S TROUBLE WITH FREELANCERS -- Columbia Journalism Review:

"Interviews with more than a dozen freelance journalists suggest the young, edgy news organization heralded as the future of journalism also has ushered in a new low for its treatment of freelance journalists. Freelancers -- though characterized by the same independence and bootstrap attitude championed by Vice -- are more vulnerable to

exploitation, and Vice has taken advantage. Journalists who have worked for Vice tell CJR that the company published their work without paying them for it, promised them assignments which were later rescinded, and asked reporters for their help with documentaries that covered issues they had written about without any plans to pay them for their work. There's also the usual freelance complaint: late payments." <http://bit.ly/2cshXr3>

-- ABOUT ROGER AILES' ATTACKS ON GABE SHERMAN -- Those emails Ailes' attorney Susan Estrich and Mark Mukasey sent to the Daily Beast to undermine Sherman "are exactly the tactics one has come to expect in our Age of Hogan, which is the proper context in which to view the premeditated animus on Ailes' behalf," according to Poynter's James Warren. "Have no doubt that the courtroom victory of Hulk Hogan, which marked the financial ruin of Gawker Media, is part of the calculus in essentially warning Sherman and his employer that Team Ailes means business. The unbridled nationwide suspicion of the press - much of it irrational and reflecting ignorance of its role in a democracy - is deep. There's no shortage of folks champing at the bit to get a media defendant into court, especially if it screwed up." <http://bit.ly/2csmMR5>

You can read the full Morning Media column and sign up to receive it in your inbox by clicking here: <http://politi.co/1PdFrwQ>

REBNY LOADS ITS SUPER PAC - POLITICO New York's Bill Mahoney: While it's likely that education groups will continue to account for the bulk of independent spending, real estate won't be sitting the year out. Jobs for New York, Inc. has brought in \$415,000 over the past two weeks, according to filings submitted to the state Board of Elections Wednesday. Its treasurer, William Auerbach, is the Real Estate Board of New York's CFO. The group's largest check was \$125,000 from Tishman Speyer Development. Fisher Brothers gave \$105,000 and the Brodsky Organization donated \$75,000. Additionally, two subsidiaries of Rudin Management contributed a combined \$110,000. Jobs for New York spent \$1.9 million helping the Senate GOP in 2014. <http://politi.co/2bSv2t0>

CROWLEY SUES DE BLASIO -- POLITICO New York's Gloria Pazmino and Brenden Cheney: Councilwoman Elizabeth Crowley is suing Mayor Bill de Blasio's administration to stop the city from converting a hotel in her district into a homeless shelter. The lawsuit follows a plan announced by the de Blasio administration several weeks ago to convert a Holiday Inn Express in Maspeth, Queens, into a 115-bed homeless shelter for adult families. The plan has drawn opposition from the community and local elected officials. Crowley, a Democrat, said the 110-room hotel is slated to house homeless adult families, who are by law entitled to basic amenities such as kitchens when living in shelter provided by the city. Crowley's lawsuit was filed in Queens Supreme Court on Wednesday and is being joined by state Sen. Joseph Addabbo, Jr. and Assemblywoman Margaret Markey. It argues that the city is breaking the law by not providing homeless families with proper cooking facilities because hotel rooms do not contain stoves. <http://politi.co/2bJSK5E>

WAITING GAME -- "Trader Joe's, Katz's Deli, DeKalb Market Hall Slip City Point Opening to 2017," by Brownstoner's Hannah Frishberg: "The dish on food vendors at

the much-anticipated City Point development in Downtown Brooklyn is they'll be opening later than anticipated, in 2017 instead of this fall. Movie-and-a-meal chain Alamo Drafthouse Cinema last week announced its August opening wouldn't be happening after all. "When is the theater opening? To be perfectly honest, we don't have an answer right now," reads a letter on the chain's website. Then, on Friday, Trader Joe's updated its website to say its closely watched opening will take place sometime in 2017, not this fall, as Gothamist was the first to report. The City Point location will be the grocer's second Brooklyn store. Now it turns out the City Point DeKalb Market Food Hall - with 55 vendors, including Katz's Delicatessen, ice creamery Ample Hills, and Jackson Heights' famed Arepa Lady - will also be opening later than anticipated, to time the opening with the other foodie purveyors." <http://goo.gl/vxa3z8>

ART FOR HER -- "Larry Gagosian to host fundraising auction for Hillary Clinton at 21st Street Gallery," by Artnews' Nate Freeman: "On September 12, Larry Gagosian will host 'Art for Hillary Auction 2016' at the Gagosian Gallery space on West 21st Street in Chelsea, presiding over a benefit sale that will raise money for Hillary Clinton's presidential campaign. Artists who have donated works to the show, according to sources, include Jeff Koons, Sarah Sze, Chuck Close, Barbara Kruger, Elisabeth Kley, Joyce Pensato, Deborah Kass, and the identical-twin duo of Ryan and Trevor Oakes... Tickets range from \$1,000 to \$50,000, the latter of which comes with a print by Jeff Koons, 'Gazing Ball (da Vinci Mona Lisa)', 2016... While art galleries occasionally host fundraisers for political candidates at their spaces, this appears to be a first for Larry Gagosian. In 2012, he gave \$5,000 to the Mitt Romney campaign, but did not go as far as to throw a fundraiser for the Republican nominee in his gallery. (He also contributed \$2,700 to the Chris Christie campaign during the Republican primary.) The Democratic Presidential nominee will not be in attendance during the auction, sources said, though her daughter, Chelsea Clinton, will be there in her place. Clinton will apparently be in Paris." <http://goo.gl/fwiFQA>

BUT IF THAT'S NOT YOUR SCENE -- "Last Chance to See 'Unfinished' at the Met," from the folks at Blouin Artinfo: "Metropolitan Museum of Art continues to showcase 'Unfinished: Thoughts Left Visible' at The Met Breuer facility. The exhibition, based on the theme of artworks that have been left incomplete by its artists, which has been running since March, closes on September 4. It features 197 works of art from different generations. While 40 percent of the exhibits are from the museum's own collection, many other works have been loaned from national and international sources. The exhibition concentrates on the critical aspect of artistic practice of unfinished works by artists. The "Unfinished" discusses the stages of creative work, and highlights the aspect of 'non finito'-intentionally unfinished, which leaves the message of art with an open ended notion."

YOU'RE WELCOME -- "'Stranger Things' Renewed at Netflix, Season 2 to Premiere in 2017," from Variety's Elizabeth Wagmeister: "In a not-so-strange turn of events, Netflix has renewed breakout hit 'Stranger Things' for a second season, Variety has learned. Season 2 will debut in 2017 and will consist of 9 episodes, in comparison to the first season that spanned 8 episodes. The news comes hardly as a surprise, as the supernatural drama has become arguably the buzziest series of the summer. Insiders tell Variety that work on the second season has already been underway for quite some time. The Duffer Brothers will

return as writers for the second season and will executive produce with Shawn Levy and Dan Cohen once again. 21 Laps Entertainment produces 'Stranger Things.'"
<http://goo.gl/4o8SD4>

REAL ESTATE, with POLITICO New York's Sally Goldenberg:

-- **"De Blasio administration releases plans for Bronx rezoning," by POLITICO New York's Sally Goldenberg:** The de Blasio administration, which is facing opposition within the City Council over affordable housing proposals, is moving forward on a rezoning in the Bronx. The Department of City Planning has released new documents detailing its plan to rezone a 73-block along Jerome Avenue to allow for an influx of new apartments, commercial space and a community facility in a neighborhood dotted with auto repair shops. The 151-acre space is bound by 164th Street to the south and 185th Street to the north.

The project, expected to be completed by 2026, would bring 3,250 new apartments across 3.3 million square feet of space to the area, according to documents made publicly available this week. Any developer choosing to build in the rezoned area would be subject to a new city requirement that at least 20 percent of the units be rented at below the market rate. It would entail an increase of 35,575 square feet of commercial space and a loss of 47,795 square feet of manufacturing and industrial area. The rezoning would also allow another 72,272 square feet of community facility space, which could be used for medical space, a house of worship or an early educational center. <http://politico.pro/2bTmfH3>

-- **"Here's How the St. John's Terminal-Pier 40 Deal Got Done," by DNAinfo's Danielle Tcholakian:** "The City Planning Commission recently held a public hearing on the St. John's Terminal project, which would add affordable and market rate housing to the neighborhood, as well as other amenities, and fund repairs to Pier 40. The hearing was the latest step in the process for developers Atlas Capital Group and Westbrook Partners to build the 2-million-square-foot project - a process that stretches back to the earliest days of Mayor Bill de Blasio's administration, before commissioners at key city agencies involved in the project were even officially in place, according to documents obtained by DNAinfo New York.

"The process also involves controversial figures with close ties to the de Blasio administration, particularly James Capalino, the lobbyist and friend of the mayor who came under fire for his connection to the lifting of a deed restriction that allowed a nonprofit nursing home on the Lower East Side to be converted into condos."
<http://dnain.fo/2c4TqVq>

-- **"Taconic to buy Village office building at 817 Broadway," by The Real Deal's Mark Maurer:** "Taconic Investment Partners is in contract to buy a 14-story, 114,000-square-foot office building at 817-819 Broadway in Greenwich Village for at least \$90 million, sources told The Real Deal. The developer is planning a repositioning of the property, located at the corner of East 12th Street, sources said. A document obtained by TRD shows that by April 30, 2021, all the building's current leases will have turned over. The fully occupied Class B

building is anchored by the Social Services Employees Union, which has 24,000 square feet across three floors, according to CoStar data. Home remodeling store Broadway Kitchens & Baths occupies the ground-floor retail space. Two families based in Jericho, N.Y. - the Frankels and the Levines - own the property, city records show." <http://bit.ly/2c5o157>

You can find the free version of Sally's real estate newsletter here:

<http://politi.co/2a1DgJk>

NEW HIRES -- Patricia Lynch Associates is making another hire. The Albany-based lobbying firm announced Kelly MacMillan, Empire State Development's Director of Public Infrastructure and the former Chief of Staff to former Assemblyman Richard Brodsky, is joining the firm as Senior Vice President. At PLA, MacMillan will work on the firm's international operations and infrastructure projects, and will help to expand PLA's Communications division. At ESD, she helped oversee the new Tappan Zee Bridge project. -- *Laura Nahmias*

NEW FIRM: Democratic consultants Evan Thies and Alexis Grenell opened up a new firm, Pythia Public. "Some people do press. Some people do campaigns. Some people do research. Some people do mail," Grenell said in a recent interview. Nobody, she said, combines "the three pillars that are foundational for us," meaning policy, politics and press. Having a good press strategy, she said, starts with having a good idea, knowing where the "windows of opportunity" are to air those ideas, and understanding how power works. "That's three-dimensional chess. Most people are playing one-dimensional chess," she said. <http://politico.pro/2c32bRm>

POWER PLAYERS -- Lois Tendler, NYC Transit's long time VP of gov't and community relations, has retired after 22 years with the agency.

HAPPY BIRTHDAY: Dirk McCall, director of external affairs for the Bronx Borough President's office ... **Jenifer Rajkumar**, Assembly candidate and attorney based in Manhattan ... **Anna Sale**, host of WNYC's Death, Sex & Money" podcast ... and **Tara Palmeri**, reporter for POLITICO Europe ... Dr. Phil ... singer Barry Gibb ... actress Lily Tomlin ... and undefeated boxing champ, the late **Rocky Marciano**.

THE HOME TEAMS -- POLITICO New York's Howard Megdal: Mets 5, Marlins 2: Your Mets season in a nutshell: Kelly Johnson, starting at second base, won the game with a three-run homer. He started because regular second baseman Neil Walker is out, apparently for the season, and will have back surgery.

-- **Yankees 5, Royals 4:** The Yankees used six of their seven relievers to edge out a win in 13 inning, putting them just 2.5 games out of a wildcard spot. More, via DN's Mark Feinsand: <http://nydn.us/2bKiZck>

-- **The day ahead:** NYCFC take on DC United at Yankee Stadium. The Liberty are in Indiana. The Mets host the Marlins. The Jets and Giants complete their preseason schedules against, respectively, the Eagles and Patriots.

#UpstateAmerica: A horrible accident in Binghamton had a happy ending. A truck caused a 10-car pile up and several bystanders jumped into action and pulled a driver from a burning car. <http://nyp.st/2bCWuds>

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